

## Message Text

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FM SECSTATE WASHDC

TO AMEMBASSY PORT AU PRINCE PRIORITY

C O N F I D E N T I A L STATE 283842

E.O. 11652: GDS

TAGS: PBOR, HA, US

SUBJECT: GOH REQUEST FOR RENEGOTIATION STATUS NAVASSA  
ISLAND

REF: PORT AU PRINCE 2494

1. DEPT HAS GIVEN CONSIDERABLE THOUGHT TO QUESTION OF RENOUNCING US CLAIMS TO NAVASSA ISLAND RAISED BY EMBASSY EARLIER THIS YEAR. IN THE PAST FEW YEARS USG HAS MADE AN EFFORT TO CLEAR UP A VARIETY OF MINOR TERRITORIAL CLAIMS IN CARIBBEAN, INCLUDING CORN ISLANDS (NICARAGUA), SWAN ISLANDS (HONDURAS), AND QUITA SUENO (COLOMBIA). IN EACH CASE, HOWEVER, WE HAVE DETERMINED THAT THERE WERE NO STRONG US INTERESTS IN RETAINING OUR CLAIMS. A SIMILAR EXAMINATION WOULD BE REQUIRED HERE, WITH APPROPRIATE INTERAGENCY CONSULTATION. MOREOVER, THERE ARE SOME COMPLICATIONS VIS A VIS THE SENATE WHICH YOU SHOULD BE AWARE OF AND WHICH NECESSITATE FURTHER STUDY BEFORE WE COULD GIVE GOH UNEQUIVOCAL INDICATION OF OUR INTENT TO GIVE UP US CLAIMS TO  
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NAVASSA.

2. THE US HAS TRADITIONALLY GIVEN UP TERRITORY, INCLUDING TERRITORIAL CLAIMS TO DISPUTED AREAS, ONLY BY TREATY, EVEN IN CASES SUCH AS THE SWAN ISLANDS, QUITA SUENO AND NAVASSA WHERE THE CLAIM IS BASED ON THE GUANO ISLANDS ACT (48 USC 1411-19), WHICH APPEARS TO CONTEMPLATE ABANDONMENT OF US

CLAIMS ONCE THE ISLANDS ARE NO LONGER USED FOR THE PURPOSE OF EXTRACTING GUANO. IN ALL RECENT CASES WE HAVE ALSO ATTEMPTED WHILE GIVING UP TERRITORIAL CLAIMS TO PROTECT ANY RESIDUAL US INTERESTS, A WEATHER STATION IN THE CASE OF THE SWAN ISLANDS, FISHING RIGHTS AND NAVIGATIONAL AIDS IN THE CASE OF QUITA SUENO. ALTHOUGH WE HAVE NOT YET CONSULTED WITH THE COAST GUARD, IT MIGHT HAVE A SIMILAR INTEREST IN PROTECTING A US RIGHT TO MAINTAIN A COAST GUARD STATION ON NAVASSA.

3. UNFORTUNATELY, THE SENATE HAS IN RECENT MONTHS TAKEN SEVERAL ACTIONS WHICH COMPLICATE ANY EFFORTS TO GIVE UP US CLAIMS TO AREAS SUCH AS NAVASSA ISLAND. IN JULY 1974 IT PASSED A RESOLUTION WHICH IN EFFECT CALLED UPON THE UNITED STATES TO SUBMIT TERRITORIAL DISPUTES OVER SMALL ISLANDS IN THE CARIBBEAN AND PACIFIC TO THE INTERNATIONAL COURT OF JUSTICE FOR RESOLUTION. IT HAS ALSO REFUSED TO HOLD HEARINGS ON THE QUITA SUENO TREATY, SUBMITTED TO IT ALMOST TWO YEARS AGO, LARGELY BECAUSE OF ALLEGED CLAIMS WHICH NICARAGUA HAS ALSO ASSERTED OVER THE AREA. UNDER THESE CIRCUMSTANCES WE BELIEVE THAT FULL CONSULTATION WITH THE STAFF OF THE FOREIGN RELATIONS COMMITTEE AS TO OUR INTENTIONS WITH RESPECT TO NAVASSA IS A MUST. AT THAT TIME WE MUST BE PREPARED TO DEMONSTRATE THAT NO OTHER COUNTRIES (SUCH AS JAMAICA) HAVE CLAIMS TO THE AREA. WE ARE PRESENTLY LOOKING INTO THE POSSIBILITY OF SUCH CLAIMS. IF THERE ARE NONE, THE ARGUMENTS FOR PROCEEDING AS IN THE PAST BY BILATERAL TREATY, WILL BE MUCH STRONGER. WE WOULD ALSO WISH TO ADVISE THE COMMITTEE THAT IN OUR VIEW THE NATIONAL INTEREST WILL BE BEST SERVED BY GIVING UP US CLAIMS. DEPT OFFICERS WILL INITIATE CONVERSATIONS REGARDING OUR INTENTIONS ON NAVASSA ONCE THE BACKGROUND WORK HAS BEEN COMPLETED.

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4. PENDING RESOLUTION OF THESE QUESTIONS ABOVE, WE BELIEVE YOU SHOULD SIMPLY TELL BRUTUS THAT YOU HAVE TRANSMITTED HIS REQUEST TO THE DEPT, THAT IT IS BEING STUDIED BY THE DEPT, AND THAT YOU ASSUME IT WILL RECEIVE SYMPATHETIC CONSIDERATION. WE WILL BE PLEASED TO DISCUSS THIS MATTER WITH YOU WHEN YOU ARE IN WASHINGTON. SISCO

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